

311 Randolph Street  
Edgerton, WI 53534  
February 26, 2008

To the Honorable Senators, Representatives and the Governor of the State of Wisconsin:

I believe that Wisconsin should be smoke free. Janesville and Madison are two communities that I frequently patronize businesses in. On occasion when I travel to a community in Wisconsin that is not smoke-free, I am unpleasantly reminded that not all communities protect the quality of air for their citizens.

As a parent, I want my children to have a smoke-free environment for meals and entertainment in the community. As a teacher, I want my students who work in the community to have a smoke-free environment to develop workplace skills. As a teacher of health education, I am concerned at the number of illnesses and pre-mature deaths associated with use of tobacco smoke, especially at those experienced by people who do not smoke themselves. As a citizen and taxpayer, I am alarmed at the high cost of health care associated with people exposed to tobacco smoke.

Please take action to make Wisconsin smoke free!

Barbara J.M. Gausman

I think Beloit should go smoke-free because it would save alot of lives. ~~Be~~ over 3,400 people die of lung cancer every year from 2nd hand smoke and 44,000 heart ~~diseases~~ diseases. Smoking isn't good because my mom smokes and she gets weaker and weaker. ~~that~~ When my dad started to smoke it got even worse for me because when my dad smokes his temper gets worse. I don't want to lose my parents ~~be~~ because of smoking. That's why Beloit, WI should be smoke free.

Sincerely;

Anthony Davie

10<sup>th</sup> grade

618 8<sup>th</sup> Street

Wisconsin should be smoke free so we can go to other places and there be no smoking. People can have dreams that there will be no smoking. People with those dreams have the right to take a chance and breath smoke free. Wisconsin is no different then Illinois. Why can't we be smoke free too. I don't want my little sister's and brother to take the chance of getting sick or even dieing. They mean a lot to me and I don't want to loose them. Please make the right choice, Freshman at Beloit Memorial High School.

Becca Casique  
818 Roosevelt ave.

I think that Wisconsin should be smoke-free because cigarettes are just bad. Cigarettes are composed of over 4,000 disgusting ingredients and doesn't do anyone any good. I think cigarettes are just a killer of organs and a waste of money. I don't know why tavern employees would want to continue smoking because they are 30 times more likely to get lung cancer. I think cigarettes are a waste of time, money, and energy and no one needs them.

Kejuanne Jennings

928 Alice St.

Beloit, WI

Franklin Beloit Memorial H.S.

February 26, 08

Dear Wisconsin,  
Wisconsin should be smoke-free  
as soon as possible. As we all  
know smoking is bad for the  
society. & If you as a person are  
reading this letter you feel the  
same way. If we as a whole  
allow smoking to continue we  
will be killing our future children.  
As you probably know Wisconsin  
is one of the last to turn smoke-  
free. So please jump on the  
band wagon to the road of  
health. Remember "We fired up  
won't take it NO "mass".

Sincerely James  
Parker,  
Sophomore Beloit Memorial  
H.S.

2254 Skyline Dr.  
Beloit, WI,

5-35-11

Nick Fillbach

1651 Indian Rd

Beloit, WI 53511

I consider smoking a truly terrible habit. It's like poisoning yourself over a long period of time. I believe this poisoning needs to stop; atleast in public buildings. You have the power to do that. Your voice speaks higher than any other. Raise that voice to save lives all over Wisconsin. If people want to damage their bodies, leave that up to them, but atleast keep it out of the lungs of those who choose life. Thank you for your consideration.

Sincerely,

Nick Fillbach

Freshman Beloit Memorial HS

## SMOKE FREE WISCONSIN!

Why is a smoke free Wisconsin important to me? That is not the toughest question ever. That is like asking why the lives of my friends and family are important to me. Most of my family does not smoke. Unfortunately there is still damage being done to us everyday. A lot of my family works in places that allow smoking. The fact is that they get 85% of what the smoker exhales. I mean second hand smoke alone is responsible for about 3,400 lung cancer deaths and 46,000 heart disease deaths each year in the U.S. Of Course, smoking does take more lives every year, but that is just my point. If smoking takes 440,000 lives every year (8,000 of those people are from Wisconsin), why should secondhand smoke take more away?

There is good news though. We have a chance to fix this. We can become one more of the 24 states that are smoke free. I know that it will take a long time, but if we show our support, things will go so much faster. I am writing this testimony to show my support for SB 150. A lot of my favorite places to go are not smoke free. If I want to go bowling, I can't stay in there for more than an hour. The smoke really gets me sick. My favorite restaurant is in South Beloit, you used to be able to smoke in there. Now, Illinois is smoke free in all public places. I can now enjoy a meal with my baby cousin without having to worry about inhaling about 1 cigarette every hour.

I'm sure that most of you know that Illinois and Minnesota are smoke free. Wisconsin is now stuck in the middle of two smoke-free states. We have even gained a new nickname, usually nicknames are fun right? Well you tell me, do you want to be known as the ashtray of the Midwest forever? I don't know about you, but I sure don't.

I don't know if I have changed any minds, encouraged any people or even discouraged anyone, but I hope you will think about what I wrote.

Thank you,  
Luz Renteria

Freshman at BMHS  
Beloit Memorial High School

Dear Legislators,

My name is Adam Rankins and I am a first year student at Beloit College and also a candidate for the upcoming City Council election of Beloit.

I am writing in concern that Wisconsin is falling far behind in the subject of public health. Many of our neighboring states are going or have already gone smoke free in order to promote a smoke free environment.

I was born and raised in this great state of Wisconsin and I hope to be able to live a long healthy life in the state I love, this won't be possible if we continue to fall behind and live as the ashtray of the midwest.

Thank you for your time and I hope when you vote on whether or not to push forward legislation to make Wisconsin smoke free you think towards the future of this state and the health of its people

-Adam Rankins

Freshman Beloit College  
Beloit, WI



Pamela A. Wilson, M.D.  
School of Medicine and Public Health  
University of Wisconsin-Madison

Ireland went smoke free in 2004. Why, when many said that a pub loving society could not do it? Ireland's laws were enacted as part of a worker's rights movement, to eliminate workers' exposure to environmental tobacco smoke. France also eliminated smoking in their restaurants and bars in January 2008 after first making other work areas smoke-free.

Whole nations have gone smoke free. Why can't Wisconsin? Smoke free laws are already enacted and working well in the United States: 22 states, including our neighboring states of Minnesota and Illinois, have passed smoke-free laws that cover restaurants and bars, workplaces, and many public venues. Why not Wisconsin? So what are the issues? What is the solution?

Some opponents of smoke-free environments frame the argument as one of personal choice. But the public needs to be protected when personal choice is destructive to others. Nationally in 2006, 8,615 drivers were killed in alcohol related accidents, while 2,426 innocent bystanders were killed in these accidents.<sup>2</sup> This is one reason we legislate and enforce DWI laws. That same year, tobacco use directly caused an estimated 400,000 deaths, while 38,000 innocent bystanders were killed by exposure to secondhand smoke.<sup>3</sup> This is the main reason we must legislate and enforce smoke-free laws. In Wisconsin, employees in the restaurant industry are exposed to twice the amount of secondhand smoke as office workers in settings where smoking is allowed; tavern workers are exposed to four to six times as much.<sup>1</sup> Four out of five Wisconsinites do not smoke, and they deserve protection from the insidious killer, secondhand smoke.

Both sides of the aisle know of the personal cost to smokers of continued smoking, the cost to employers of hiring smokers and the cost to Wisconsin citizens from smoking related illnesses. The 2006 Surgeon General's report puts to rest any claim that there is a lack of evidence that environmental tobacco smoke causes harm, disease, and death. You know the costs and the risks accompanying tobacco use, and we need to move ahead and create a 100% smoke-free environment recognizing that there is NO SAFE LEVEL OF EXPOSURE to environmental tobacco smoke.

Smoking kills Wisconsin citizens whether you are a smoker or a non-smoker. We have the ability to "clear the air" and make the work environment safer for restaurant and bar workers as well as for the patrons. Let's do it. Let's do it in 2008. Why wait to provide a healthier environment for ourselves, our unborn children, and our loved ones? The time to act is NOW!

1. American Lung Association of Wisconsin's fact sheet supporting a statewide smoking ban.
2. NHTSA (National Highway and Traffic Safety Administration) 2006 Traffic Safety Facts
3. CDC (Center for Disease Control) Tobacco-Related Mortality Fact Sheet, 2006

# CAMPAIGN For TOBACCO-FREE Kids®

**Testimony of Aaron Doeppers, Midwest Regional Director  
Wisconsin State Assembly Public Health Committee  
February 27, 2008**

Thank you Chairman Hines and committee members for this opportunity to testify in support of AB 834.

My name is Aaron Doeppers. I am the Director of the Midwest States for the Campaign for Tobacco-Free Kids. I would like to give you a brief understanding of the national, and indeed international, smoke-free trend and why it is important to your consideration today.

It is critical to understand one simple fact: Smoke-Free air is not the wave of the future, it is the wave of the present, and for much of the country it is a debate that is already past. The question is no longer IF we will be smoke-free, but WHEN.

Fifteen years ago, the first wave of local and state smoke-free laws were being passed on the west coast. Five years ago it was an east coast health rage, but now the Midwest has the most progress for the simple reason that we have fallen behind the rest of the world. Indeed, whole countries like Ireland, Italy, and many others are smoke-free.

As you probably know well by now, Illinois and Minnesota both passed smoke-free laws last year. Both states implemented their laws in less than six months and are now smoke-free.

This week the Nebraska Governor signed legislation making their state the 23<sup>rd</sup> to require smoke-free air in all restaurants and bars. Iowa is well on its way, with legislation through their state House and being debated in their State Senate as we speak. With the support of their Governor and majorities in both houses, Iowa is well on its way to being number 24.

And yes, Michigan has passed a law through their state House and it is before their state Senate.

More than half the population in the country is already covered by either a state or local law making all restaurants and bars smoke-free. It is time for Wisconsin to catch up, or we will be the "ashtray of the Midwest".

The reality is that once smoke-free laws are implemented, nobody is going back. Common sense tells us that if the economic doom and gloom claims were even partially true, the opposite would be the case. These laws aren't just proven to improve health, they grow even more popular after implementation and they are doing just fine for

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business. And through all the debate, we lose sight of the simple fact that it just isn't a big deal to smoke outside.

Someone asked me recently, isn't Wisconsin unique?

The answer is that 23 smoke-free states are each unique. Literally hundreds of smoke-free communities around the country are each unique. What is not unique is the cancer, heart disease, and other health problems caused by secondhand smoke. What is not unique is that 100% smoke-free is the only way to provide health protection. And what is not unique is the tremendous support in our state for going smoke-free.

Our polling found almost two-thirds of people in Wisconsin want a comprehensive smoke-free policy. This tracks very closely with polling in other states before they went smoke-free. Support crossed every demographic except one—smokers. Yet still more than a third of smokers support this proposal. And keep in mind, there are fewer smokers every year.

Legislators in these 23 states, each in their own way, came to the same basic conclusions:

- First, we all deserve the right to basic health protection from secondhand smoke.
- Second, the fair way is to make all businesses smoke-free at the same time.
- Third, the best way is to implement the law quickly and move past this issue. In fact, two-thirds of state laws have been implemented between three and six months, and fully 80% have been implemented within a year of passing the law.

"The debate is over, the science is clear." That is what the Surgeon General said in 2006 at the release of his report on secondhand smoke. In states and communities across the country, similar words hold true for the politics, "the debate is over, the law is clear." Literally, the debate is over and the states have moved on to other issues. Will you do the same for Wisconsin?

- protect our health
- cover everyone the same
- do it quickly so the law settles in and everyone moves on

Thank you for your consideration of this issue. Please pass AB 834, protect our health, and give us the basic right to breathe free.

# **WISPIRG**

**Standing Up  
To Powerful Interests**

**Smoke and Mirrors: Tobacco Industry Claims Unfounded**  
*Economic Studies Conclude Smoke Free Laws Do Not Harm Bar and  
Restaurant Business*

By Bruce Speight  
WISPIRG Public Interest Advocate

**WISPIRG**

**February 2008**

As Wisconsin considers a comprehensive, smoke-free workplace law that includes bars and restaurants, there have been concerns raised of adverse economic impacts. The Tavern League and their allies, and even some legislators, have stated to the press and in testimony that jobs will be lost in the hospitality industry and bars will go out of business.

There is no reliable, independent scientific evidence to support these claims. Past experiences, including evidence from Madison and Appleton, and scientific studies conducted in both rural and urban communities that have implemented smoke-free laws, have found such speculation to be false. U.S. Surgeon General Richard Carmona in his report, *The Health Consequences of Involuntary Exposure to Tobacco Smoke*, concluded: "evidence from peer-reviewed studies show that smoke-free policies and regulations do not have an adverse economic impact on the hospitality industry."<sup>1</sup>

Across the country, state and local governments, big and small, have passed health-based initiatives similar to the one being considered by the Wisconsin State Legislature. In fact, over the last decade there has been a wave of clean indoor air regulations passed to protect both patrons and workers in bars and restaurants. There are now twenty-two states and hundreds of municipalities that have passed some sort of smoke free policy for workplace environments, and the number of people who live in smoke-free communities continues to grow. Wisconsin is falling behind the rest of the nation, including our neighbors in Illinois and Minnesota, with inadequate and outdated public health protections from exposure to secondhand smoke.

Why does the Tavern League of Wisconsin oppose a health-based initiative that will have no economic impact on its members? In an attempt to frighten bar and restaurant owners, the tobacco industry has funded research across the country to claim clean indoor air policies are bad for business. In 2003, Dr. Michelle Scollo and her colleagues at the Centre for Tobacco Control published a comprehensive review of 97 studies addressing the impact of smoke-free laws on the hospitality industry. She found that every single study claiming a negative impact was supported by the tobacco industry. These studies were 20 times less likely to have been scientifically peer-reviewed. The study concluded that "all of the best designed studies report no impact or a positive impact of smoke-free restaurant and bar laws on sales or employment. Policymakers can act to protect workers and patrons from the toxins in secondhand smoke confident in rejecting industry claims that there will be an adverse economic impact."<sup>2</sup>

Much of the anecdotal experience from smoke-free communities finds no harmful economic impacts. There is even support from those who had originally feared economic hardship for the hospitality industry, but are finding since implementation, that fear to be unfounded. Michael O'Neal, the former president of the New York Restaurant Association and the New York City Restaurant Association has stated, "Smoke-free workplace legislation does not hurt business."<sup>3</sup> David E. Garth, President and CEO of the San Luis Obispo Chamber of Commerce in California initially had feared the ban on smoking would hurt jobs and tourist-generated income for the city: "...our initial fears were unfounded and today, I'm pleased to report that the effects have been extremely positive".<sup>4</sup>

Fortunately, there is no need to speculate or rely on anecdotal experience. Laws already implemented, including ordinances in Wisconsin, can be a guide to better understanding the potential economic impacts of such policies in Wisconsin. From these laws, a large body of literature has been generated studying the resulting economic impact on bars, restaurants, and the hospitality industry in smoke-free communities.

Empirical, independent data from around the country show that smoke-free laws do not harm business:

- Employment in Delaware's food service and drinking establishments increased in 2003 following the implementation of the state's Clean Indoor Air Act, according to the Delaware Department of Labor.<sup>5</sup>
- New York City's restaurants and bars added 10,600 jobs while sales tax receipts increased by 8.7 percent since going smoke free, according to the New York City Department of Finance.<sup>6</sup>
- California's 131 smallest bars – those the tobacco industry claimed would be hurt the most – showed a 35 percent increase in business one year after California's smoke-free law was implemented, according to California's sales tax collection agency.<sup>7</sup>
- Rhode Island's bars and restaurants generated 20 percent more tax revenue in the first quarter following the implementation of the state's smoke free law in March 2005, according to the Rhode Island Division of Taxation.<sup>8</sup>

### **Economic Impact Studies**

To further demonstrate the scientific, rather than anecdotal conclusion that smoke free laws do not adversely impact the hospitality business, below are six economic impact studies. The highlighted studies were selected for their geographic and demographic diversity to help demonstrate similar conclusions have been made in different communities. The reports were also selected because of the comprehensive and objective data used and reputation of the author and publication in which the report was printed.

**Title:** Economic Impact of Lexington's Smoke-free Law: A Progress Report

**Author/Source:** Hahn E, et al, University of Kentucky College of Nursing and Gatton College of Business and Economics, April 18, 2005

**Location:** Lexington-Fayetteville, KY

**Finding:** "In general, selected key business indicators in Lexington restaurants, bars and hotels have not been affected by the smoke-free law. When taking factors into account such as population size, unemployment, seasonal variation, there was a slight increase in restaurant employment; bar employment remained stable and hotel/motel employment declined in the 10 months after the smoke-free law took effect. There was no effect of the smoke-free law on payroll withholding taxes (workers' earnings) in restaurants, bars or hotels/motels in the 10 months after the law went into effect, after taking seasonal variation into account. The smoke-free law was not related to business openings or closures in alcohol-serving establishments or at non-alcohol serving establishments."

**Title:** The State of Smoke-Free New York City: A One-Year Review

**Author/Source:** NYC Department of Finance, NYC Department of Health and Mental Hygiene, NYC Department of Small Business Services, NYC Economic Development Corporation, March 2004

**Location:** New York City

**Finding:** "One year later, the data are clear.... Since the law went into effect, business receipts for restaurants and bars have increased, employment has risen, virtually all establishments are complying with the law, and the number of liquor licenses issued has increased – all signs that New York City bars and restaurants are prospering."

**Title:** Impact of a Smoking Ban on Restaurant and Bar Revenues – El Paso, Texas, 2002

**Author/Source:** U.S. Centers for Disease Control and Prevention (CDC), Morbidity and Mortality Weekly Report, February 27, 2004

**Location:** El Paso, Texas

**Finding:** "No decline in total restaurant or bar revenues occurred in El Paso, Texas, after the city's smoking ban was implemented on January 2, 2002. Despite claims that these laws especially might reduce alcoholic beverage revenues, the mixed beverage revenue analyses indicates that sales of alcoholic beverages were not affected by the El Paso smoking ban."

**Title:** A Research Study: The Measurable Economic Impact of Certain Smokefree Ordinances in Minnesota

**Author/Source:** Stoltz, Dan and Michael Bromelkamp, Minnesota Institute for Public Health, February 23, 2007

**Location:** Minnesota

**Finding:** "Based on data available through 2005, there was no apparent economic impact on the local economies examined in this report, or on the State of Minnesota as a whole. The data graphs show that reported 2005 sales were in line with historical trends."

**Title:** Evaluation of the Massachusetts Smokefree Workplace Law: A Preliminary Report

**Author/Source:** Connolly G, et al, Division of Public Health Practice, Harvard School of Public Health, Tobacco Research Program, April 4, 2005

**Location:** Massachusetts

**Finding:** "Analyses of economic data prior to and following implementation of the law demonstrated that the Massachusetts state-wide law did not negatively affect statewide meals and alcoholic beverage excise tax collections. Furthermore, the number of employees in food services and drinking places and accommodation establishments, and keno sales were not affected by the law."

**Title:** Effect of Smokefree Bar Law on Bar Revenues in California

**Author/Source:** Glantz, S.A., Institute of Health Policy Studies, University of California, San Francisco, Tobacco Control, Spring 2000

**Location:** California

**Finding:** "There was no significant effect of the restaurant provisions of the law on bar revenues as a fraction of total retail sales; there was a small but significant positive change in bar revenues as a fraction of retail sales associated with the bar provisions

going into effect. Implementation of the smokefree restaurant provisions was associated with an increase in the fraction of all eating and drinking establishment revenues that went to establishments with liquor licenses, and a larger increase following implementation of the smokefree bar provisions.

#### **Wisconsin Data Consistent with Studies**

Thus far in Wisconsin, 33 communities have adopted smoke-free ordinances. Madison and Appleton have adopted 100 percent smoke-free policies for all bars and restaurants within city limits. Empirical data from Madison and Appleton are consistent with the findings of the aforementioned scientific studies.

- In Madison, the number of licensed liquor establishment increased from 332 in July 2005 (before the ordinance) to 365 in January 2008, an increase of 9.9 percent.<sup>9</sup>
- In Appleton, for the first time there is a continuous waiting list for Class B liquor licenses. Currently, there are 8 on the waiting list, and four hospitality business owners are expanding their businesses.<sup>10</sup> In addition, no Appleton bar along the border of other communities without ordinances has closed.<sup>11</sup>
- Employment in Madison's service industry increased by 15.5 percent from 2005 to 2006.<sup>12</sup>

#### **Consistency of Effects in Communities with Various Demographics**

Smoke-free policies have been implemented in communities that vary drastically with regard to size, type, and location. In Wisconsin, communities as varied as Bristol and Madison have adopted smoke-free ordinances. Questions have arisen about the consistency of economic impacts among different types of communities. Below are studies that have assessed the impact of smoke free policies specifically in rural and in smaller, less urban communities. The data has demonstrated that the neutral or positive effects of smoke free laws do not vary depending on these qualities and demographics.

**Title:** The Effect of Ordinances Requiring Smoke-Free Restaurants and Bars on Revenues: A Follow-Up

**Author/Source:** Glantz, Stanton A, and Lisa R.A. Smith, American Journal of Public Health 87: 1687-1693, October 1997

**Location:** California

**Finding:** "This study expands and confirms our earlier work showing that smoke-free restaurant ordinances do not affect restaurant revenues. It also shows that the same is true for smoke-free bar ordinances. The cities and counties with smoke-free bar ordinances are diverse. Anderson and Redding are isolated cities within a predominantly agricultural region of California. Davis is a university town. Tiburon is an affluent suburban community that enjoys heavy tourist business. San Luis Obispo is a coastal community that has a major college as well as substantial tourism. The two smoke-free counties, Shasta and Santa Clara, have ordinances that cover unincorporated areas; Shasta is rural and Santa Clara is a suburban county in the San Francisco Bay Area."



**Title:** Assessment of the impact of a 100% smoke-free ordinance on restaurant sales – West Lake Hills, Texas, 1992-1994

**Author/Source:** Centers for Disease Control and Prevention. *Morbidity and Mortality Weekly Report* 1995;44(19):370–2.

**Location:** West Lake Hills, Texas (population: 3000 at time of study)

**Finding:** “On June 1, 1993, the city of West Lake Hills (a suburb of Austin), Texas (1995 population: 3000), implemented an ordinance requiring a 100% smoke-free environment in all commercial establishments to which the public has access, including all restaurants and restaurants with bar areas. This report summarizes an assessment of sales in restaurants during June 1993–December 1994 compared with January 1992–May 1993. . . . The regression coefficient for the ordinance variable was positive, suggesting that the total sales of the restaurants did not decrease after implementation of the ordinance.”

US Surgeon General Richard Carmona in his 2006 report The Health Consequences of Involuntary Exposure to Tobacco Smoke concludes “the industry claims are countered by many studies published during the last decade in the peer-reviewed scientific literature that assessed various objective economic impacts of these regulations on bars and restaurants. . . . Regardless of the outcome measured, the studies found no evidence of negative economic impacts.”<sup>13</sup> The Surgeon General further states:

“Two of the first studies on the economic impact of clean indoor air laws on restaurants and bars were carried out by Glantz and Smith (1994, 1997). Both studies used sales tax data to assess the impact of local ordinances in California and Colorado. The first study found no effect on the fraction of total retail sales that went to restaurants or on the ratio of restaurant sales in communities with ordinances compared with restaurant sales in control communities without such ordinances that were also matched for population, income, smoking prevalence, and geographic location. The communities varied in population size from a few thousand to more than 300,000, and the length of time that the ordinances were in effect ranged from a few months to more than 10 years (Glantz and Smith 1994).”<sup>14</sup>

**Another measure of economic impacts: Bar value**

Since the value of a bar on the market is directly related to its profits, assessing the value of bars both before and after smoke free ordinances provides another measure of the economic impact of smoke free policies. A new study, as well as empirical evidence from Madison and Appleton in Wisconsin, further confirms that smoke free laws have a neutral or positive economic effect on communities.

**Title:** Effect of Smoke-Free Laws on Bar Value and Profits

**Author/Source:** Alamar, Benjamin, and Stanton A Glantz, *American Journal of Public Health* 97: 1400-1402, August 2007

**Location:** California

**Finding:** "The tobacco industry has claimed that smoke-free bar laws caused bar revenues to decline by 30%. After we controlled for economic variables, we found that bars located in areas with smoke-free laws sold for prices that were comparable to prices for similar bars in areas with no smoking restrictions. Other studies have reported that sales did not decline, and we also found that neither price nor sales declined. Therefore, bar owners' concerns that smoke-free laws will reduce the value of their bars are unfounded."

**Wisconsin Property Value Data:**

- The assessed value of property in Appleton's Central Business district increased by an average of 32 percent since the last assessment in 2003.<sup>15</sup>
- On average, the assessed value of property in Madison's business districts has increased since the smoke free ordinance was enacted. Data compares the two years prior to ordinance enactment to the two years following enactment.
  - In the central business district of State Street and the Capitol Square, assessed value increased by 2.5 percent per year prior to the ordinance, and by 4.9 percent per year after the ordinance.
  - In the west town business district, assessed value increased by 2.15 percent per year prior to the ordinance, and by 4.56 percent per year after the ordinance.
  - Finally, in the near east business district, assessed value increased by 5.25 percent per year prior to the ordinance, and by 10.02 percent after the ordinance.<sup>16</sup>

**The Cost of Allowing Smoking to Business Owners**

In addition, there are other costs associated with smoking in the workplace, such as increased maintenance costs, which an employer can generally expect to avoid when adopting a smoke-free policy. A survey of 2,000 workplaces with smoking restrictions found that 23.3 percent reported a reduction in maintenance costs.<sup>17</sup> Similarly, an analysis by the EPA concluded that implementing smoking restrictions in U.S. workplaces would reduce operating and maintenance costs by between \$4 billion to \$8 billion each year.<sup>18</sup> It has been estimated that, all together, smoking in the workplace increases costs to employers by an estimated \$1,300 per year per smoking employee.<sup>19,20</sup>

**False Claims and Tobacco Industry Funded Research**

Tobacco industry funded research is not nearly as objective or reliable. Similarly, those that oppose clean indoor air regulations often use anecdotal or subjective measures to claim lost revenues. Consider:

- In May 1998, the American Beverage Institute released a survey of selected bar owners and managers in California that claimed a decline in business of 59.3 percent since January 1998, with stand-alone bars claiming a 81.3 percent drop.

However, an analysis of taxable sales conducted by California's sales tax collection agency found the state's smallest 1161 establishments that serve alcohol had a 1.06 percent increase in revenues. For the first quarter of 1998, there was a 6 percent increase in taxable sales for all eating and drinking establishments compared with 1997.<sup>21</sup>

- In testimony before the Chicago City Council's Health Committee, Dr. Andrew Hyland shared a study claiming that restaurant employment had declined in New York City after their smoke-free regulations took effect. However, the data being used by opponents of smoke-free workplace laws was for the period before the law took effect.<sup>22</sup>

As already noted, in 2003, Dr. Michelle Scollo and her colleagues at the Centre for Tobacco Control published a comprehensive review of 97 studies addressing the impact of smoke-free laws on the hospitality industry. She found that every single study claiming a negative impact was supported by the tobacco industry.<sup>23</sup>

#### **Even the tobacco industry admits their predictions have not "come true"**

As part of the Master Settlement Agreement between the tobacco industry and the states, internal tobacco industry documents were made public. One such Philip Morris document states "the economic arguments often used by the industry to scare off smoking ban activity were no longer working, if indeed they ever did. These arguments simply had no credibility with the public, which isn't surprising when you consider that our dire predictions in the past rarely came true."<sup>24</sup>

#### **Smoke-free Policies Save Lives**

In contrast to claims of lost business and scare tactics by the tobacco industry, Wisconsinites can expect one concrete impact from a smoke-free workplace ordinance: cleaner air and better public health.

Just as regulations have been established to set health and safety standards in workplaces, a ban on smoking is critical to protect the health of patrons and employees of restaurants and bars. Secondhand smoke contains 69 different kinds of chemicals which cause cancer. Secondhand smoke kills at least 53,000 nonsmokers a year, including 3,000 lung cancer deaths and 35,000 coronary heart disease deaths. Exposure to secondhand smoke is associated with an increased risk for respiratory infections, asthma, sudden infant death syndrome, and lower chronic ear infections among children.<sup>25</sup>

Of most concern is the health impact to restaurant and bar employees. Laws already exist to protect most workers from the deadly impacts of second hand smoke. Hospitality workers are one of the few remaining not protected from the dangers of secondhand smoke in the workplace.

In communities where smoke-free workplace laws have been implemented, the health benefits to the public have been immediate and considerable. The Office of the Surgeon General and the U.S. Task Force on Community Preventative Services have concluded that the most effective method for reducing secondhand smoke exposure is to establish

smoke-free environments. A study published on April 2005 in the British Medical Journal found that smoke-free policies can result in an almost immediate drop-off in the number of heart attacks. Since California went smoke-free, the state's lung cancer rate has dropped by nearly 20 percent – now the lowest in the nation.

A vast library of scientific evidence consistently concludes that smoke free policies do not harm the hospitality industry. Wisconsin should adopt a statewide smoke free air bill that bans smoking in all public workplaces, including bars and restaurants, without delay.

## **Endnotes**

- <sup>1</sup> U.S. Dept. of Health and Human Services, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, The health consequences of involuntary exposure to tobacco smoke: a report of the Surgeon General, Atlanta, Ga.: 2006
- <sup>2</sup> Scollo M, et al, "Review of the Quality of studies on the economic effects of smoke-free policies on the hospitality industry", *Tobacco Control* (2003); 12:13-20.
- <sup>3</sup> O'Neal, Michael "Butt Out: - The Industry Shouldn't Need Laws To Make Us Clear The Smoke From Restaurants," Nation's Restaurant News, April 16, 2001.
- <sup>4</sup> Garth, David, President/CEO of the San Luis Obispo, CA Chamber of Commerce, Letter to Nebraska Senators in Favor of Smoke-Free Legislation, January 29, 2001.
- <sup>5</sup> Meconi, Vincent, Secretary of the Delaware Department of Health and Social Services, "Secondhand Smoke Deserves Regulations," Delaware State News, (December 30, 2003).
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## Smoke Free Air

Since the Senate hearing last year, much has happened in the area of providing citizens with a smoke free atmosphere - entire countries have now gone smoke free, additional states, cities and counties around the country have - and here we are finally having a second public hearing.

We all know much is regulated on behalf of our citizens through our elected representatives - and I would like to stress that word - representatives! We make sure that in restaurants, that which is to be hot is kept hot (even to the specific temperature expected), to be kept cold is kept cold, making sure the facility is kept clean, employees wash their hands often and especially after using washroom facilities.

We put up stop signs, make sure children are placed in car seats, and so much more.

Consider some of the recent headlines:

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In Minnesota, there is a consideration of a ban on the amount of chemicals that would be allowed in child products by the Minnesota legislators. And many other states considering a ban on bisphenol-A (BPA) which may be linked to developmental problems in children and reproductive issues.

Our state wide DNR air quality advisory has gone on for several days now - alerting citizens to the dangerous risks of being outside for those with health issues of young, older, heart issues, lung and asthma and even athletes are warned to work less strenuously.

Health care costs on pace to double by 2017! As if they were not a major problem to all of us now.

And, again, concern of the power of lobbyist in the case of one of the presidential hopefuls - the influence of money in the legislative process!

As we consider just these headlines, consider that an individual cigarette contains thousands of chemicals - and all bad for all of us, let alone children. Can we all imagine for a moment if the DNR and other health officials feel that the outside air poses a real

health risk - what would the air quality measurement be inside an enclosed area filled with smoke from tobacco products!

The cost of health care is being discussed at every level and impacts upon the lives of every citizen in this state - from delivery to availability to cost - it would seem appropriate to begin doing things that would offer some help through clean air.

And, the influence of money of the few and its impact upon the many. The huge majority of citizens in this state and across this nation do not smoke - and the majority of all citizens wish to have a "clean" clean air act passed.

As one looks at the issues of the overall environment, providing for universal health care, campaign finance reform which will lessen the power of the purse, and finding ways to eliminate the negative partisanship that is one of the root causes of a failure to legislate through intelligent and thoughtful discourse are in many cases complex problem solving issues.

Passing a smoke free air act is not one of them!

Shunning big tobacco money influence and their conduits such as the Tavern League simply require courage and strength of character to do the right thing based on the request of the majority of organizations, businesses and citizens of Wisconsin.

Running a bar and/or restaurant has always been risky - but as one who has spent over 50 years in and around family businesses and teaching business practices - the one thing you will hear from every good business person - give me a level playing field and I can compete with the best of them.

Great location, excellent employees, fun activities, welcoming atmosphere and ambience, prices appropriate for my food and beverages, adapting to changing needs and desires of clientele,

and solid business practices are some of the things that allow a business not only to stay in business but to prosper and grow.

So, lets take care of both the health issues for those that must work in this leisure field (especially in the northern counties) and those who wish to enjoy an evening out with all members of their families and also level the playing field now so that businesses know they no longer have the question of when - when will I have to make that choice - and let them go about the business of doing the things that will not only keep their present customers coming, but will allow them to court a whole new set of customers - the 80% of the citizens who do not smoke!

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Thank you,

Steve Anderson

Eau Claire, WI

Past Chair, Burnett County Democratic Party



To: Assembly Public Health Committee  
Re: Public Hearing on AB -834  
Room 417 N at Noon

February 27, 2008

Dear Honorable Public Health Committee,

I've waited over 20 years for smoke-free justice in the state of WI. My health and the health of thousands of others in this state have been harmed due to smoking in worksites and public places. My social life and my ability to earn a living in the field of my choice have been negatively affected due to smoking in worksites and public places. This is wrong!

You've been presented with all kinds of facts and figures. You've heard every possible argument over and over again. The time has come to make a decision.

So...which side are you on? The side of the citizens of WI and their health and well-being, or the side of the Tavern League?

A few years ago, our last Surgeon General stated the only way to protect workers and the public from the harm of secondhand smoke is to only allow smoking outdoors, away from others.

Thus, I'm asking you in the spirit of Nancy Reagan and Barry Goldwater to "Just say No" to the Tavern League, because "in your heart you know it's right".

In closing, this song, to the tune of "Hey Ho, Nobody's at Home" sums it up perfectly:

Hey Ho, It's time don't 'cha know  
For smoking in the restaurants and bars to go  
So we all can breathe and be merry.  
Hey, Ho, Hey!

Have a nice "air" day.

Sincerely,

*Taku C Ronsman*

Taku C. Ronsman  
1688 Beaver Dam Drive  
Green Bay WI 54304  
Ph: 920-499-9663, Email: [tronsman@earthlink.net](mailto:tronsman@earthlink.net)

February 27, 2008

To: The Honorable Members of the Assembly Committee on Public Health:

My name is Sandy Bernier and I am here today as a Ambassador for the American Cancer Society and as the Northeast Chair of the WI Chapter of the National Association of Social Workers. More important I am here today to share with you what it was like to loose my mother, brother, and aunt to Pancreatic Cancer all of whom were addicted to tobacco and worked in the restaurant and entertainment business in order to make a living.

My mother worked as a waitress for years until she opened her own restaurant. The work provided her the hours she needed, an opportunity to do what she loved, and the ability to earn a living and still raise her children. All eight of us at one time or another took a turn at all the duties and responsibilities of running the family business.

The restaurant business is successful when you have skilled staff, a good product, and a clean and welcoming environment. A skilled waitress can make more in one week than some degreed individuals. My brother was in the entertainment business for years. He had a band and played clubs all across Wisconsin as well as out of state. I myself worked as a lead vocalist in a band for five years because I made really good money loved what I did, and was able to pay the bills.

The most common response to 100 % smokefree workplaces is: they can always choose to work somewhere else. My response is, if you love what you do, you make a good living at it; you are skilled in that area, why should anyone have to choose between their job and their health. What makes those who work in the restaurant industry or the entertainment industry less valuable or worthy of the same protections that so many other professionals get the benefits of. How many college students can find a job some place else.

An important issue for me is, had my mother, brother, and aunt worked in environments that were smokefree, they would have decreased their consumption, had increased support for quitting, would have a better chance at beating tobacco addiction, and could have increased their chances at beating cancer. I quit tobacco over 20 years ago. I did not beat my tobacco addiction only to die from exposure to secondhand smoke. I quit the entertainment business because I did not want to increase my risk of dying young.

The scrapbook pages are empty for my children, because their grandmother died before her time. There are three things that I know about smokefree environments, they encourage those who are addicted to tobacco to quit, youth are less likely to view tobacco use as normal, and smokefree laws save lives.

As a Social worker I believe that everyone has a right to work in smokefree environments, Many cannot choose their place of employment. Mothers, will take the risk of exposure because they need to feed their families, College students need to pay for their tuition. WI needs to protect everyone from secondhand smoke. Please support AB 834.

Sandy Bernier 831 Minnesota Ave North Fond du Lac 517-0212

661 Falling Oaks Lane  
Wausau, WI 54401

February 27, 2008

Assembly Committee on Public Health  
State Capitol,  
Madison, WI

Dear Representative Hines and Members of the Assembly Committee on Public Health:

Make workplaces in Wisconsin smoke-free with no delays and no exemptions. You would make a real difference in the lives of every Wisconsin resident.

I grew up with a father who smoked and I worked in smoke-filled workplaces for at least the first 10 years of my working career. I developed asthma as an adult. There is no doubt in my mind that it was related to secondhand smoke. Asthma can be life threatening. It's expensive to manage and even more expensive if it lands you in the hospital.

When I was first entering the work force, gas prices were high and the economy was in the dumpster. Sound familiar? I didn't really feel like I had much choice about where I worked. I had no experience and no education at that point. I took the first job that didn't burn up more than one tank of gas each week. I work along side a cook who had her Virginia Slim hanging from her mouth all night long. Even when I got an education so that I could get a better job, my first jobs were still smoke-filled.

We want everyone in our state to be able to work and provide for his or her own families. It's an American tradition and definitely a Wisconsin tradition to work hard and provide for your family. But a job shouldn't give you asthma, or heart disease, or lung cancer. Yet many workers don't feel like they have a lot of choice about where they work - this is especially true in the rural part of our state. No matter where someone has to or chooses to work, they deserve protection from secondhand smoke.

A state law that includes all workplaces is fair for workers and fair for employers.

I thank you for your time and consideration of this important legislation.

Sincerely,



Mary Hilliker

**Susan C. Lynch  
N 5179 Innsbruck Road  
West Salem, Wisconsin 54669  
608-786-0127 (home)**

**Testimony for Public Hearing  
Assembly Bill 834  
Wednesday, February 27, 2008**

**I would ask you to support Assembly Bill 834 relating to prohibiting smoking in places of employment, restaurant, taverns and other indoor areas in the State of Wisconsin.**

**I have been involved in Smokefree activities for the past nine years and clearly believe that the majority of Wisconsin residents would like to see this legislation passed in 2008.**

**I represent many residents from the Coulee Region area, youth (TATU and FACT Groups), Smoke Free Air for Everyone volunteers, along with the Partners of WHA who also endorse this action. Please know that your actions today will reflect good public health for all citizens of our State.**

**We do not want Wisconsin to become the ashtray of the Midwest. The Surgeon General report from 2007 clearly shows the harmful effects of second hand smoke. It is time to breathe clean indoor air in all workplaces!**

**Thank you.**

*Sue Lynch*  
2/27/08



# WCS - PROJECT EXCEL

YOUR FUTURE. YOUR CHOICE.

A PROGRAM OF WISCONSIN COMMUNITY SERVICES, INC. (WCS)  
(FORMERLY WISCONSIN CORRECTIONAL SERVICE)

1115 SOUTH SEVENTH STREET - MILWAUKEE, WI 53204

TELEPHONE 414-383-5966 FAX 414-383-8152 [www.wiscs.org](http://www.wiscs.org)

## Educational Points Regarding the Ill Effect of Second Hand Smoke

- Two-fifths of African-American men in Milwaukee between the ages of 25 and 35 - prime employment ages - have been incarcerated.
- Statistics show that 7,000 to 8,000 former inmates are being released annually into the city's poorest neighborhoods, where the prospect of finding employment or job training is slim.
- There is no safe amount of secondhand smoke. Breathing even a little secondhand smoke can be dangerous.
- Separate "no smoking" sections DO NOT protect you from secondhand smoke. Neither does filtering the air or opening a window.
- Breathing in secondhand smoke at home or work increases your chances of getting lung cancer by 20 percent to 30 percent.
- Secondhand smoke is harmful for all workers. Restaurant and bar workers breathe more secondhand smoke than other workers and have higher rates of lung cancer.
- Links to articles that provide further detail to the information above:

<http://www.uwm.edu/Dept/ETI/barriers/MilwaukeePrisonStudy.pdf>

This is a link to Barriers to Employment: Prison Time by John Pawasarat of the Employment and Training Institute a UWM-Milwaukee. This report was prepared at the request of Legal Action of Wisconsin and the Private Industry Council of Milwaukee County to assess legal and employment barriers of people being released from corrections.

<http://www.tobwis.org/>

"The Tobacco Control Resource Center for Wisconsin provides accurate, up to date, and evidence-based resources to support effective tobacco control."

<http://www.tobwis.org/uploads/media/AirQualityStudy04-07.pdf>

Link to the "North and Central Wisconsin Air Monitoring Study", 2007. "The overall purpose of this study was to evaluate the indoor air quality in a sample of Northern and Central Wisconsin bars, restaurants, and other recreation establishments. Venues were sampled in 7 Northern and Central Wisconsin counties: Iron, Lincoln, Marathon, Oneida, Portage, Vilas, and Wood. The relation between indoor air pollution and the presence of on-premises smoking was assessed. It was hypothesized that indoor air would be less polluted in all types of venues where indoor smoking is prohibited compared to venues where smoking is allowed."

For Further Information Contact:

Shawn Smith

Program Director

WCS - Project Excel

414-383-5966 ext. 103

[Ssmith@wiscs.org](mailto:Ssmith@wiscs.org)

## MISSION

WCS advocates for justice and community safety, providing innovative opportunities for individuals to overcome adversity.

## PROJECT EXCEL IS AFFILIATED WITH THE FOLLOWING ORGANIZATIONS:

- Helena Bader Foundation
- MCTC (Milwaukee County Tobacco Coalition)
- Safe and Sound
- First Time Juvenile Offenders Program
- Private Industry Council Step-Up Program
- Mayor Barrett's Summer Youth Employment Program
- Milwaukee Youth Sports Authority
- WCS Jobs Program
- WCS Gang Reduction Project
- Phenomenal Men's Support Group
- Wraparound Milwaukee
- TRUE Skool Urban Arts
- HOMIES Gang Reduction Mentoring



A United Way Funded Agency

*Alison Prange*  
*American Cancer Society Testimony*  
*February 27, 2008*

Good Afternoon. Thank you for the opportunity to testify today. On behalf of the American Cancer Society and our over one million volunteers and supporters across Wisconsin, we urge you to support Assembly Bill 834, the Smoke free Workplace Act.

We support this legislation because it will have a direct impact on reducing Wisconsin's Cancer Burden, and it will improve the health of the public as a whole by reducing heart attack rates, asthma attacks, and general illnesses caused by exposure to secondhand smoke.

I'm sure many of you know someone who has battled this horrible disease – cancer- a family member, a colleague, a friend or an acquaintance. It is a diagnosis no one should ever have to get, and passing this law will have a direct impact on reducing the number of cancer diagnoses in Wisconsin – whether it is lung, throat, esophageal or other cancers.

For any of you that know someone who has been diagnosed with lung cancer, it is a particularly horrible and painful illness. I unfortunately have had 3 women close to me lose their battles at young ages to this disease. They were mothers, cousins, aunts, sisters and friends. Watching once vibrant women, who never lost their dignity, lose their strength, energy and ability to fight is something we should never have to face.

One thing you will notice today is that there are very few lung cancer survivors here to testify. That isn't because they didn't want to be here, it is because, put simply, most don't win their battle with lung cancer. One story you won't hear today is that of Heather Betzinger – her testimony has been submitted in writing for all of you. She is a 31 year old lung cancer survivor, mom of two from La Crosse – and a woman who never smoked a day in her life. She did grow up in a home with heavy

smokers, she put herself through college by working in bars and restaurants. We often hear from our opponents that people like Heather should just have gone and gotten another job if she didn't want to work in smokey environment. Well, she was from a small town with no other options. And unfortunately, her lack of options contributed to her diagnosis. Heather strongly supports this fight, and wanted to provide a voice so other young mothers do not get a diagnosis like she has had to face.

The American Cancer Society is here to speak today for those who no longer have a voice and who have lost their battle with this disease. We are here to prevent others from hearing the dreaded words "you have cancer" and we are here to attempt to save lives and diminish suffering.

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On behalf of our 1 million volunteers and supporters across Wisconsin, we urge you to support AB 834. Give Wisconsin a level playing field, and protect the health of all workers and citizens.

Honorable members of the Assembly Public Health committee:

I am a constituent of Representative Ballweg and I am asking you to please support AB 834 with no exceptions or amendments, to be implemented as soon as possible. Wisconsin residents and workers deserve a smoke-free law that protects *all* people from secondhand smoke, including restaurant and bar workers.

As a resident of the Fox Cities and Outagamie County, I am a patron of the downtown Appleton businesses that are now smoke free. I cannot express to you enough how wonderful it is for my family, friends and myself to be able to enjoy this smoke free environment. In the time that Appleton has been smoke free I have witnessed a resurgence of the downtown area with the addition of more restaurants, coffee shops and bars that we, as residents of the Fox Cities, are excited to patronize because of the healthy environment they provide.

But while I currently enjoy the right to breathe freely in a portion of the area that I live, so many others in Wisconsin do not have this basic right.

I can speak to you firsthand of the negative and deadly effects of smoke and secondhand smoke. As an asthmatic child of two parents who smoked, the granddaughter of a grandfather who died of emphysema due to a lifelong long smoking habit, and the sibling of a brother who was a heavy smoker and died at an early age of a smoking related disease, I am not willing to compromise on the serious health implications that I know to be a result of smoking and inhaling second hand smoke. Nor is anyone else I know in Wisconsin. Clearly, the residents of Wisconsin have asked for a smoke-free state and we are looking to our public officials to ensure that we receive it.

As your constituent, I urge you to support this bill. It's time for everyone who lives and works in Wisconsin to have the same basic protections from secondhand smoke. Please do not delay in making this happen. I look forward to Wisconsin joining our neighbors in providing smoke free air to all employees no matter where they work. Thank you for your time and attention to this important public health issue.

Sincerely,

Laurie A. Pagel

130 Kelly Way

Hortonville, WI 54944

920-779-9111



February 26, 2008

State of Wisconsin  
Assembly Public Health Committee

Dear Members of the Public Health Committee:

We are writing to you in support of the smoking ban purposed by Rep. Steve Wieckert with an implementation date of Jan. 1, 2009. We find it appalling that the state that we have lived in for many years is going to be known as the "ash tray of the Midwest states." Why have Illinois, Minnesota and now Nebraska been leaders in protecting it's citizens from the danger of second-hand smoke while Wisconsin continues to allow the Tavern League to dictate important health policy?

While the Wisconsin restaurants experienced no loss of income with local smoking bans, the Wisconsin taverns will not experience loss of income. with a state wide smoking ban. The bottom line is second-hand smoke is a very serious public health issue. It kills bar tenders, waitresses, and other employees who work in smoke filled taverns. There is no safe level of smoke and frequent exposure just increases the probability of lung disease.

The argument is given by the Tavern League that people can choose to work in other places besides smoke filled taverns. No-one should have to make this choice whether or not to work in a safe or un-safe environment. Many of these jobs are compatible with family schedules and therefore, no choice truly exists.

We helped elect our representatives so that sound public health policy would be enacted. It is your job to protect our health and provide legislation that will do so. We urge you to bring the vote to the Senate floor and vote yes to a ban with an implementation date of Jan. 1, 2009. Thank you

Barbara Lent, Registered Nurse  
Dr. John Lent, Cardiologist  
W4341 Gulf Course Drive  
Fond du Lac WI 54935



Wisconsin Environmental Health Association, Incorporated

February 27, 2008

State of Wisconsin

Assembly

To the Honorable Members of the Committee on Public Health:

At our January 11, 2008 meeting, the Wisconsin Environmental Health Association Board of Directors voted in support for the "WI Breathe Free Act" with no exemptions and a timely implementation date that would protect all workers from secondhand smoke. As sanitarians and health inspectors of licensed establishments, we are required to perform inspections of restaurants, bars and taverns where smoking is allowed. We do not have a choice – it is a critical public health function, it is our job – and our livelihood. Exposure to second-hand smoke in these facilities is a health risk for us, and we are just one of many classes of workers similarly affected.

Inspection visits generally take 1-4 hours per establishment – a complex facility will take more time. This is a great amount of time to be exposed to second hand smoke. As you know the 2006 Surgeon General's report declared the debate is over and the science is clear – Secondhand smoke is a serious health hazard that causes premature death and disease in nonsmoking adults. This is a risk that we wouldn't need to take if the WI Breathe Free Act was adopted.

As environmental health professionals our members also deal with the full spectrum of public health related air quality issues. Very few air quality issues are a greater threat than exposure to second hand smoke. However, this very serious air quality problem has been institutionally accepted for far too long.

Please support AB 834, because, all workers deserve to be protected from secondhand smoke. No one should have to choose between their job and their health. .. A goal of WEHA is "to improve the health and well being of WI residents by focusing on environmental and public health issues". Second hand smoke is both an environmental and public health issue – please give AB 834 your prompt attention to make all of WI workplaces healthier for everyone.

Sincerely,

A handwritten signature in cursive script that reads 'Chris Hinz'.

Chris Hinz

President

Wisconsin Environmental Health Association

WEHA is a professional association representing approximately 400 environmental health professionals, in government, private industry and academia, working together to improve the health and well being of Wisconsin's citizens. Our members are involved in a wide variety of activities to reduce environmental risks that cause human disease, including hazards from air quality problems. You can visit our web site for more information, at [www.weha.net](http://www.weha.net).

February 26, 2008

Dear Honorable Committee Members on Public Health,

I am writing to you, to ask if you would please support Bill AB834.

Many states have already gone smoke free and once again Wisconsin is lagging behind. Remember it is a health issue. Insurance rates are higher than ever. People say the Government should not get involved with businesses, they can do what they want. Government is already involved. That is why we don't have mice/rats in our food at restaurants, or taps are cleaned for soda and beer to be poured, that is why we have building inspectors to make sure people are safe. It's time once again for our Government to stand up and make sure people are safe and healthy. If I were you I wouldn't want it on my conscious when one more person gets cancer from second hand smoke and you have the power to do something about it. Please support the Bill and lets get this done: for our state, for our people, and most of all for the children of today and tomorrow. Thank-you.

Sincerely,

Lindee Kimball  
Fond du Lac City Council Person  
28 Howard Avenue FDL WI



# Fond du Lac County

HEALTH DEPARTMENT  
(920) 929-3085 1-800-547-3640  
FAX (920) 929-3102

City/County Government Center  
160 South Macy Street, Fond du Lac, WI 54935

February 27, 2008  
State of Wisconsin  
Assembly Committee on Public Health

To the Honorable Members of the Committee on Public Health:

I would like to go on record both personally and as Chairperson of our County Board of Health Committee as supporting AB 834 without amendment to weaken it. Science supports removal of tobacco from the workplace, including the hospitality industry. With the preponderance of evidence of harm caused by second-hand smoke to both smokers and nonsmokers, there can be no justification to allow ongoing pollution in the workplace by this carcinogen and promoter of heart disease.

As a pediatrician I am particularly concerned about harm to young workers and pregnant women. The majority of voters support this legislation. Numerous states and several countries have passed similar laws with no apparent economic or sociologic catastrophes resulting. In no carefully conducted evaluation of economic impact has removal of smoking from businesses (including restaurants and taverns) been shown to harm business. Please serve the public by enacting this legislation without delay or weakening amendments.

Warren Post

*Warren M Post, MD*

Chairperson Fond du Lac County Board of Health

Testimony of Heather Betsinger in favor of Assembly Bill 834

Chairman Hines and members of the committee, my name is Heather Betsinger. I live in Onalaska and am a member of the LaCrosse County SAFE (Smoke-free Air For Everyone) Coalition. I am writing today to ask you for your support of AB 834.

Two days after Christmas 2006, I was diagnosed with non small cell lung cancer in my left lung. I had just turned 30 and had just spent a wonderful holiday with my daughter, age 6, and my son, age 3. I should also mention I have been a lifelong non-smoker, but I grew up in a household with smoking parents and surrounded by smokers at all family functions. I also worked as a waitress/hostess/bartender through high school and college and numerous bar & grill establishments, surrounded by smokers. Maybe it was my own fault for choosing to work in those environments, but since I had been a lifelong non-smoker and was in good shape and didn't have a family history of lung cancer, I considered myself "safe" from the risks of cancer. This was also ten years or more ago, when society wasn't quite as informed of the dangers of secondhand smoke as we are now.

I spent most of 2007 doing radiation and chemotherapy treatments. I missed work. I missed out on family functions, parent/teacher conferences, birthday parties for my children, weddings, etc. because I was too sick or too tired to attend. But it was the simple things I missed most. Like putting my kids to bed at night and sitting at the dinner table to eat with them instead of lying on the bathroom floor.

I endured weight loss, mouth sores, vomiting, and all-over body pains & aches for about 6 months...but I am one of the lucky ones because I survived it. In December of 2007, I was given the "all clear" sign from my doctor, and now return for 6-month rechecks. More than one of the physicians I have seen in the last year or so has told me flat out, "If you hadn't been exposed to all of that secondhand smoke, you would probably not have endured the disease."

My son, now age 4, has asthma. It is up to me as his mother to protect him from secondhand smoke, which makes his asthma flare up terribly. He can't speak up for himself when we're out to eat and someone in the "smoking" section lights up a cigarette and he starts to cough and turn red in the face. He can't speak for himself when we decide to go bowling—one of his favorite things in the world to do—and an entire group of smokers on the next lane over light up, and we have to leave because my son can't breathe properly.

Smokers say to me, "you can't even imagine how hard it is to try to quit smoking. It's a horrible addiction." I guess I can't believe that. But my response to them is, "no, I can't imagine trying to quit smoking. But I do know what it's like to be told you may or may not make it out alive after chemotherapy. And I do know what it's like to miss work and see my medical bills mount into the hundreds of thousands and worry about how to pay for the things that insurance won't. And I do know what it's like to not be able to eat because I'm nauseated and the mouth sores hurt so bad. And I do know what it's like to watch my children come into the bathroom to see if I'm all right because they can hear me throwing up from down the hall. And I know the sheer and utter relief of being told I have just completed my last chemotherapy treatment and do not need to come back for six months. I think if I can endure all of that, someone can endure the trials of quitting nicotine. Smokers are offered many aids to help them quit and make it more successful—patches, gum, pills, counseling, hypnotherapy, etc. Cancer patients almost always suffer—and there is no magic gum or patch to get us over the symptoms."

This ban needs to happen NOW. This can not happen to another 30-year-old mother, or another 60-year-old, for that matter. We need to protect our workers, our families, our CHILDREN from cancer and all of the other illnesses related to smoking and secondhand smoke. Wisconsin is behind you—the majority of our great state wants this ban to happen NOW. We deserve it. It is our right to be healthy. It is my son's right to be able to breathe. It is a smoker's right to smoke cigarettes—but his right to smoke ends when it interferes with my son's ability to breathe, and my ability to stay cancer-free.

February 27, 2008

Dear Honorable Members of the WI Assembly Committee on Public Health:

Thank you for this opportunity to give testimony about the value of a consistent, comprehensive smoke-free air public policy for our state. I am here today as a local Community Tobacco-Free Coalition Coordinator and, I think even more importantly, as a Mother.

Having a consistent, comprehensive smoke-free air policy for all workplaces would guarantee that all Wisconsin workers would breathe clean indoor air at their places of employment regardless of their level of pay. As a mother of two sons who are full-time college students in the University of Wisconsin system, they struggle to pay for their education while working a variety of entry level, low paying jobs. Recently, my son who is 21 years old considered taking a job at his favorite east side of Milwaukee watering hole. Since the City of Milwaukee has no protections against smoking in bars, this job would mean my son would be checking identification at the door for 8 hours a shift while breathing in patrons' secondhand smoke. The job offered him by this bar owner would be a substantial increase in pay compared to his other jobs. But, as a mother I cannot condone his taking this job regardless of any increase in "hazard pay" it might bring him. Believe me, my son has visited numerous Madison bars with his UW-Madison friends, waiting in lines to actually frequent the city-wide smoke-free establishments that are packed with smokers and non-smokers alike who can enjoy an adult beverage without smoking a cigarette indoors.

Today in Wisconsin, the fastest growing group of "new smokers" is in the age range 18 – 24 years old. This is a relatively new phenomenon. I have been working in tobacco control for 8 years, and when I started we used to tell our students that "90% of current adult smokers in Wisconsin started smoking before the age of 18. If you haven't started before 18, you won't ever start to smoke." This is no longer true. I like to think that through the Wisconsin Tobacco Prevention and Control Program we have curbed youth smoking with great educational and advocacy programs, and limited youth access to purchasing tobacco. But, haven't we "won the battle but lost the war" if growing numbers of young adults are starting this lifelong addiction to tobacco? The 18 – 24 year old age range is a time of transition, with these young adults most likely to be working in service industry jobs where smoking exposure is rampant due to patchwork smoking regulations.

It is undeniable that a sector of those in the 18 – 24 year old range are a big part of the "bar culture" in Wisconsin. The Tobacco Industry has infiltrated our college campus bars. Removing smoking and secondhand exposure from bars and all workplaces in Wisconsin will send a very strong message to this next generation that our Elected Leaders care about the health of all of Wisconsin citizens – regardless of income level or age.

Most Sincerely,

Sue Marten

2433 Dove Ct., Cedarburg, WI 53012 [smartenlsw@wi.rr.com](mailto:smartenlsw@wi.rr.com)

WI State Assembly Public Hearing  
Committee on Public Health  
Wednesday, February 27, 2008, 12:00 p.m.  
417 North (GAR Hall)  
State Capitol

In support of Assembly Bill 834

Working in tobacco control and being an advocate for health for 18 years, I have seen personally the dangers that smoking can cause on people, most significantly in the African American Community. African Americans die disproportionately, about 45,000 each year, from smoking-related diseases. The effects of smoking are also harsher on African Americans because they tend to absorb more nicotine and have a slower clearance of cotinine from the body than other races. African Americans also suffer the effects of menthol in cigarettes at a greater rate than other races because 80% of black smokers smoke mentholated cigarettes in which the cooling effects of menthol allow for a deeper inhale and more of toxins to enter the body. I have also seen the effects of secondhand smoke on citizens who work in establishments in which they have no choice on being exposed. For a person working in an establishment that allows smoking, after an 8-hour shift, it is as though they smoked the equivalent of an entire pack of cigarettes themselves. African Americans and other people of color are also disproportionately exposed to secondhand smoke because they are the ones employed in many of the jobs that do not have smoke-free air restrictions, like bars and restaurants. In a survey completed in 2003, it was reported that one-third of bars and restaurants in Wisconsin allowed smoking in their establishments, as compared to 2% of government buildings and 5% of schools that allowed smoking. Today, there are practically no government or public office buildings that allow smoking. The time has come to protect the health of Wisconsin's entire workforce and pass legislation prohibiting smoking in all public places including bars and restaurants.

I would like to say that it is inevitable that Wisconsin will go smoke-free, with all surrounding Midwestern states having already gotten there. It is now up to you to be leaders and push this legislation forward. Otherwise, we will have earned the title given to us in the Milwaukee Journal- Sentinel of the "Ashtray of the Midwest."

Patricia McManus, PhD, RN  
President and CEO, Black Health Coalition of WI  
Project Director, Smoke Free Milwaukee Project  
Project Director, Wisconsin African American Tobacco Prevention Network  
(414) 933-0064 x201

Date: February, 27, 2008

Wisconsin is now "up at bat" in the game of saving lives. This committee can use AB 834 to hit a home run or get up to bat and waste time hitting foul balls for the next few weeks.

Here are the top 5 reasons why AB 834 must be passed with great urgency:

#5) The Surgeon General and most recently, the World Health Organization, has called on you, as policy makers, to act immediately to eliminate secondhand smoke from all workplaces. A few weeks ago, a 19-year old Michigan waitress died in the ER of an asthma attack induced by secondhand smoke. Studies repeatedly show decreased heart attacks in smoke-free communities. This is a life-saving call to action.

#4) Avoid being tagged ignorant --

Regardless of Senator Breske's statement about the research on health effects of secondhand smoke being "hogwash" -- the studies stand on solid ground. Especially important is a newly developed MRI procedure showing images of lungs exposed to secondhand smoke appearing damaged, like those of current smokers. (I have attached this report.)

#3) AB 834 will begin to relieve the surmounting financial burden of smoking in our state.

#2) The people of Wisconsin want workplaces to be smoke-free. Surveys report 64% support for 100% smoke-free workplaces.

Finally, and most importantly, **the number one** reason to pass AB 834 is: **No worker should risk their life for a paycheck. It is that simple.**

It's the bottom of the ninth inning for a Smoke-free Wisconsin. People all over the state, especially the workers, are ready for you to hit a home run. Pass AB 834 as written.

Shawn Boogaard  
721 Mallard Dr.  
Kaukauna, WI 54130  
(920) 759-2215



# Secondhand Smoke Kills 19-Year-Old

February 11, 2008

## News Summary

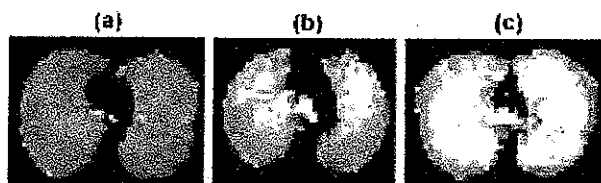
A 19-year-old Michigan woman died of an asthma attack at the bar where she worked, and an autopsy concluded that the fatal incident was triggered by secondhand smoke, the Detroit Free Press reported Feb. 9.

The case is believed to be the first showing that acute secondhand-smoke exposure can lead to the death of an adult. "This is a very dramatic case," said Ken Rosenman of the Michigan State University College of Medicine, who reported on the incident in the American Journal of Industrial Medicine. "The other associations have been with chronic exposure. This is the first time someone dropped dead right there."

The Michigan House of Representatives has approved legislation to ban most indoor smoking, but the legislation has been stalled in the state Senate. "I have a granddaughter who has asthma. If you've ever seen an attack, it's not a pretty thing," said State Sen. Ray Basham, who is sponsoring the legislation. "We're losing 3,000 people a year in Michigan to secondhand smoke."

But Andy Deloney, a spokesperson for the Michigan Restaurant Association, said, "If you want to talk about banning smoking because of this unfortunate incident, then let's ban smoking, period. Don't say we're going to take away your individual choices in bars and restaurants but you can go into a tribal casino and smoke."

## Secondhand Smoke Damages Lungs, MRIs Show



*Representative axial ADC maps from (a) a subject with low exposure to secondhand cigarette smoke; (b) a subject with high exposure; (c) a smoker. (Generally, the red areas mean relatively healthy parts, and the yellow areas mean relatively abnormal.) (Credit: Children's Hospital of Philadelphia and the University of Virginia)*

ScienceDaily (Nov. 27, 2007) — It's not a smoking gun, but it's smoking-related, and it's there in bright medical images: evidence of microscopic structural damage deep in the lungs, caused by secondhand cigarette smoke. For the first time, researchers have identified lung injury to nonsmokers that was long suspected, but not previously detectable with medical imaging tools.

The researchers suggest that their findings may strengthen public health efforts to restrict secondhand smoke.

"We used a special type of magnetic resonance imaging to find these structural changes in the lungs," said study leader Chengbo Wang, Ph.D., a magnetic resonance physicist in the Department of Radiology at The Children's Hospital of Philadelphia. "Almost one-third of nonsmokers who had been exposed to secondhand cigarette smoke for a long time developed these structural changes." Formerly at the University of Virginia, Wang collaborated with radiology researchers at that institution, where they acquired the MRIs from adult smokers and nonsmokers.

Wang presented the team's findings in Chicago at the annual meeting of the Radiological Society of North America. Although the participants in the research study were adults, Wang said the results have implications for the 35 percent of American children who live in homes where regular smoking occurs.

The researchers studied 60 adults between ages 41 and 79, 45 of whom had never smoked. The 45 non-smokers were divided into groups with low and high exposure to secondhand smoke; the high-exposure subjects had lived with a smoker for at least 10 years, often during childhood. The 15 current or former smokers formed a positive control group.

The research team prepared an isotope of helium called helium-3 by polarizing it to make it more visible in the MRI. Researchers diluted the helium in nitrogen and had research subjects inhale the mixture. Unlike ordinary MRIs, this MRI machine measured

diffusion, the movement of helium atoms, over 1.5 seconds. The helium atoms moved a greater distance than in the lungs of normal subjects, indicating the presence of holes and expanded spaces within the alveoli, tiny sacs within the lungs.

The researchers found that almost one-third of the non-smokers with high exposure to secondhand smoke had structural changes in their lungs similar to those found in the smokers. "We interpreted those changes as early signs of lung damage, representing very mild forms of emphysema," said Wang. Emphysema, a lung disease that is a major cause of death in the U.S., is commonly found in heavy smokers.

The researchers also found a seemingly paradoxical result among two-thirds of the high-exposure group of non-smokers--diffusion measurements that were lower than those found in the low-exposure group. Although these findings require more study, said Wang, they may reflect a narrowing in airways caused by early stages of another lung disease, chronic bronchitis.

"To our knowledge, this is the first imaging study to find lung damage in non-smokers heavily exposed to secondhand smoke," said Wang. "We hope our work strengthens the efforts of legislators and policymakers to limit public exposure to secondhand smoke."

The study received financial support from the National Heart, Lung and Blood Institute, the Flight Attendant Medical Research Institute, the Commonwealth of Virginia Technology Research Fund, and Siemens Medical Solutions.

Wang's co-authors were Talissa A. Altes, M.D., and Kai Ruppert, Ph.D., now of the Children's Hospital Radiology Department; and G. Wilson Miller, Ph.D., Eduard E. deLange, M.D., Jaime F. Mata, Ph.D., Gordon D. Cates, Jr., Ph.D., and John P. Mugler III, Ph.D., all of the University of Virginia Department of Radiology. Drs. Wang, Altes, and Ruppert were previously at the University of Virginia as well.

*Adapted from materials provided by Children's Hospital of Philadelphia, via EurekAlert!, a service of AAAS.*

February 27, 2008

Dear Honorable Members of the State of Wisconsin Assembly Committee on Public Health,

As I cannot be with you personally at this hearing today, I am leaving this written statement via a colleague because I feel so passionately about smoke-free air.

Please vote YES on Assembly Bill 834 which proposes a Wisconsin state-wide ban on smoking in public places. I am a family practice physician in the Milwaukee area, and I can't tell you strongly enough how secondhand smoke affects both my patients and my family.

I have several patients with asthma who work in bars in the Milwaukee area, and because they are students putting themselves through school, they need to make the maximum money for the least amount of flexible work hours. Working in a bar provides them with both, but with one BIG CATCH. For their 6-8 hour shifts, they are required to inhale large quantities of secondhand smoke. These students' health is being affected in several ways. First of all, a worker who spends 8 hours in a smoke-filled room is exposed to the same amount of carcinogens as actively smoking one pack of cigarettes. Second, these students' asthma is much worse after inhaling all of that smoke, and they often have to be on expensive extra asthma medicines that they would not need were they working in a smoke-free bar. And, when they get a respiratory infection, forget it-they are out of work for a week until their lungs can calm down sufficiently to tolerate the added irritant of secondhand smoke.

I myself no longer frequent bars and restaurants that allow smoking. The CDC has issued a warning that all patients at increased risk of coronary heart disease or with known coronary artery disease should avoid all indoor environments that permit smoking. I don't know the state of my coronary arteries, do you? Why risk it?

My family and I would go out MORE OFTEN if we did not have to face the secondhand smoke. Profits in bars and restaurants in smoke-free New York City have actually GONE UP since NYC became smoke-free. And forget no smoking sections and ventilation systems-they don't work. As the "Helena Hear Study" co-author Dr. Richard Sargent likes to say, "It's like swimming in the non-peeing section of the pool. Would you really want to?"

There are now reams of scientific evidence that back up my stories. The Surgeon General's report released in June 2006, The Health Consequences of Involuntary Exposure to Tobacco Smoke, demonstrated through scientific evidence that no amount of secondhand smoke is safe, and the only way to protect nonsmokers from secondhand smoke is to ensure smoke free indoor spaces. In addition, in 2005 the American Society of Heating, Refrigerating and Air Conditioning Engineers stated in a position paper that no ventilation system can adequately clean the air of secondhand smoke in order to protect non-smokers, and the ONLY way to eliminate the ill effects of secondhand smoke is to make indoor areas 100% smoke-free.

Dear state representatives, the public is **with you** on this ban. Polls have shown that two thirds of Wisconsin voters are in favor of the ban. **PLEASE DO NOT** let a very loud minority of bar and tavern owners fueled by money and scare tactics from the tobacco industry influence your decision on this crucial issue. Illinois did it; Minnesota did it, now it's our turn. Don't let Wisconsin remain the ashtray of the Midwest!

Please pass Assembly Bill 834 and send it to the full house for their approval as well.

These words come from the bottom of my heart,  
Thank you for your attention.

Barbara Moser, MD  
5365 N. Lake Drive  
Whitefish Bay, WI 53217  
Home: 414-332-4744  
[barbaramwfb@aol.com](mailto:barbaramwfb@aol.com)



February 26, 2008

Representative J.A. "Doc" Hines  
Room 10 West  
PO Box 8952  
Madison WI 53708

Via e-mail: rep.hines@legis.state.wi.us

Dear Representative Hines,

I am writing to express my support of Senate Bill 150 and wish you great success in moving this bill to the next level during tomorrow's hearing.

By way of a bit of background – The Marcus Corporation, headquartered in Milwaukee, is a leader in the lodging and entertainment industries. In addition to its Marcus Hotels and Resorts division, the company's movie theatre division, Marcus Theatres(R), owns or manages 595 screens at 49 locations in Wisconsin, Illinois, Minnesota, Ohio, North Dakota and Iowa, and one family entertainment center in Wisconsin.

I applaud the local and state legislators who have endorsed this bill and support clean, indoor air initiatives and a statewide workplace smoking ban. As this bill moves onto the senate floor, I hope the state legislature will carefully consider the facts and support this important piece of legislation.

As you know, there are a large number of important groups that support the smoke-free bill, including the Wisconsin Medical Society, the American Cancer Society, Wisconsin Innkeepers Association, the Wisconsin Restaurant Association and more than 20 others that advocate Wisconsin's public interest. As a member of the Wisconsin Restaurant Association and Wisconsin Innkeepers, I agree that no one should have to breathe secondhand smoke as a condition of employment. In fact, Surgeon General Richard Carmona said last summer that "secondhand smoke is not a mere annoyance. It is a serious health hazard responsible for killing more than 50,000 people each year." Eliminating smoking in indoor places is the only way to protect nonsmokers from exposure to secondhand smoke.

23 states, including Minnesota and Illinois, have passed laws that require restaurants and bars to be smoke-free. Passing a smoking ban in Wisconsin would not only be a landmark event in Wisconsin's history but, more importantly, it would be a major step forward in promoting public health and leveling the playing field for businesses such as The Marcus Corporation who operate hotels, restaurants and theatres around the state.

Thank you for your efforts.

Sincerely,

William J. Otto

President & Chief Operating Officer

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